MEMO ENDORSED



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STATE OF NEW YORK OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO Attorney General

Writer's Direct Dial; (212) 416-6287

LESLIE G. LEACH

Executive Deputy Attorney General

Division of State Counsel

JUNE DUFFY
Assistant Attorney General in Charge
Lingarion Bureau

May 7, 2008

Via ECF and Fax

Honorable Stephen C. Robinson United States District Court Southern District of New York 300 Quarropas Street, Room 633 White Plains, NY 10601

RE:

Swies v. New York State Dep't of Transp. SDNY No. 08 Civ. 3567 (SCR) (MDF)

Your Honor:

The Office of the Attorney General represents defendant New York State Department of Transportation ("DOT") in the above-referenced action. I write to request an extension for DOT's time to answer, move, or otherwise respond to plaintiff's complaint from May 15, 2008 to July 15, 2008.

I was only recently assigned to this matter last evening and additional time is needed to investigate the allegations in the complaint, gather pertinent documents, and draft an appropriate response. In addition, I have been selected to serve as a juror for an estimated eight-to-ten-day trial in New York State Supreme Court, Kings County, commencing on May 13, 2008. Plaintiff's counsel does not consent to this request. No prior extensions have been requested.

Thank you for your time and consideration of this request.

ORDERED

STEPHEN C. ROBINSON

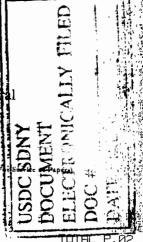
vited states district judge cc: Michael H. Sussman, Esq. (Via ECF and Fax)

5/13/05

Respectfully,

/s/

Carolyn G. Goodwin
Assistant Attorney General



120 Broadway, New York, New York 10271-0332 ● Tel.: 212-416-8595 (Witter's Direct Dial) ● Fax: 212-416-6075 (Nuc. http://www.oag.state.ny.us